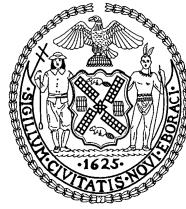


MEMO ENDORSED



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DATE FILED: September 16, 2016

**THE CITY OF NEW YORK
LAW DEPARTMENT**

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September 15, 2016

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Ernesto Rodriguez v. City of New York, et al., 16-CV-744 (KPF) (SN)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. By Order dated August 11, 2016, the Court directed the parties to appear for an initial conference at 3:30 p.m. on September 21, 2016. Defendants respectfully request that the Court adjourn the conference by approximately three weeks. This is defendants' first request for an adjournment, and it is made with plaintiff's consent.

The reason for this request is that, beginning on September 19, 2016, the undersigned is appearing as trial counsel in this Court before the Honorable J. Paul Oetken in the civil matter Angel Alvarez v. City of New York, et al., 11-CV-5464 (JPO). Trial is expected to last approximately two weeks. In light of this request, defendants respectfully seek a corresponding adjournment of the parties' deadline to submit a Proposed Civil Case Management Plan and Scheduling Order and joint letter. In the event that the Court grants defendants' request, defendants respectfully advise the Court that the parties have conferred and are available to appear for an initial conference on October 5, 2016 until 1:00 p.m.; October 6, 2016 before 10:30 or after 3:30 p.m.; and after 2:00 p.m. on October 7, 2016; in the morning on October 10, 2016; or on an alternate date that is convenient for the Court.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Melanie Speight
Senior Counsel

CC: VIA ECF

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Application GRANTED. The conference scheduled for September 21, 2016, is hereby ADJOURNED to **October 7, 2016, at 4:00 p.m.** in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. Pursuant to the Court's Individual Rules of Practice in Civil Cases, the parties shall submit their proposed Case Management Plan and Joint Status Letter by **September 29, 2016.**

Dated: September 16, 2016 SO ORDERED.
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE